

SENATE BILL 33

A2

(PRE-FILED)

2lr0691
CF HB 51

By: **Senator Colburn**

Requested: October 11, 2011

Introduced and read first time: January 11, 2012

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: January 27, 2012

CHAPTER _____

1 AN ACT concerning

2 **Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor**
3 **Licenses – Clubs**

4 FOR the purpose of updating certain obsolete language by authorizing a certain
5 organization to obtain a certain license from the County Council of Dorchester
6 County under certain circumstances; updating certain obsolete language by
7 requiring the County Council of Dorchester County to pay a certain alcoholic
8 beverages license fee to the mayor and city council of a city or town under
9 certain circumstances; requiring the County Council of Dorchester County to
10 pay a certain alcoholic beverages license fee to the Finance Department of
11 Dorchester County under certain circumstances; and generally relating to the
12 distribution of Class C beer, wine and liquor license fees paid by organizations
13 in Dorchester County.

14 BY repealing and reenacting, without amendments,
15 Article 2B – Alcoholic Beverages
16 Section 6–301(a)
17 Annotated Code of Maryland
18 (2011 Replacement Volume)

19 BY repealing and reenacting, with amendments,
20 Article 2B – Alcoholic Beverages
21 Section 6–301(k)
22 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2011 Replacement Volume)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
3 MARYLAND, That the Laws of Maryland read as follows:

4 **Article 2B – Alcoholic Beverages**

5 6–301.

6 (a) (1) Except as provided in subsection (n) of this section, a Class C beer,
7 wine and liquor license shall be issued by the license issuing authority of the county in
8 which the place of business is located. It authorizes the holder to keep for sale and sell
9 all alcoholic beverages at retail at any club, at the place described in the license, for
10 consumption on the premises only.

11 (2) The annual fee for the license shall be paid to the local collecting
12 agent before the license is issued, for distribution as provided.

13 (3) In this section, “board” means the board of commissioners for the
14 jurisdiction to which the subsection applies.

15 (k) (1) This subsection applies only in Dorchester County.

16 (2) The annual license fee is \$1,000.

17 (3) A license may be obtained by any bona fide yacht club and golf and
18 country club that:

19 (i) Has been incorporated for a period of not less than 5 years
20 prior to the time of making application for the license;

21 (ii) Has a bona fide membership of not less than 250 persons
22 and dues of not less than \$10 per year per adult member;

23 (iii) Has facilities for preparing and serving food on the premises
24 to members and their guests when accompanied by such members; and

25 (iv) Owns or operates a clubhouse located on premises
26 principally used for no other purpose and not directly or indirectly owned or operated
27 as a public business.

28 (4) A license may be obtained by any local unit of a nationwide bona
29 fide nonprofit organization or club composed solely of members who served in the
30 armed forces of the United States in any war in which the United States has engaged
31 and:

1 (i) Has held a charter from a national veterans' organization for
2 a period of not less than 5 years prior to the time of making application for the license;

3 (ii) Has a bona fide membership of not less than 50 persons and
4 dues of not less than \$5 per year per person;

5 (iii) Operates solely for the use of its own members and their
6 guests when accompanied by such members; and

7 (iv) Meets in a clubhouse principally used for no other purpose.

8 (5) A license may be obtained by any lodge or chapter of any bona fide
9 nonprofit and nationwide fraternal organization composed of members duly elected
10 and initiated in accordance with the rites and customs of the fraternal organization
11 which:

12 (i) Has been in existence and operating in Dorchester County
13 for a period of not less than 5 years prior to the time of making application for the
14 license;

15 (ii) Has a bona fide membership of not less than 125 persons
16 and dues of not less than \$5 per annum per member;

17 (iii) Owns or operates a home or clubhouse principally for the
18 use of its members and their guests when accompanied by such members; and

19 (iv) Is not directly or indirectly owned or operated as a public
20 business.

21 (6) A license may be obtained by Sailwinds Park, Inc., a nonprofit
22 organization. The license may be obtained and renewed so long as no individual or
23 group of individuals derive any personal profits from the operation of the Park.

24 (7) Upon payment of the license fee, any organization specified by this
25 subsection may obtain a license from the County ~~Commissioners~~ **COUNCIL**.

26 (8) If the organization specified by this subsection is located within the
27 corporate limits of any city or town, the County **[Commissioners] COUNCIL** shall pay
28 the license fee to the mayor and city council of that city or town. Otherwise, they shall
29 pay the fee to the **[treasurer] FINANCE DEPARTMENT** of Dorchester County.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 July 1, 2012.